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Attorneys for Plaintiff Shell Guam, Inc.

IN THE DISTRICT COURT OF GUAM

SHELL GUAM, INC.,) CIVIL CASE NO. CIV03-00021
a Guam corporation,)
)

Plaintiff,)
)

vs.) AFFIDAVIT OF PUBLICATION
)

M/V GYOKO MARU NO. 18,)
and NIKKI SUISAN CORPORATION,)
)

Defendants.)
)

GUAM USA)
) ss:
MUNICIPALITY OF HAGÅTÑA)

I, FAYE S. VASAPOLLI, first being duly sworn, depose and say as follows:

1. That I am a United States citizen, over the age of eighteen (18), and not interested in the outcome of this case.

2. That I am employed in the Classified Ads Division of the Pacific Daily News, a newspaper of general circulation in Guam USA.

ORIGINAL

1
2 Page 2
Affidavit of Publication
Shell Guam, Inc. v. M/V Gyoko Maru No. 18
District Court of Guam Civil Case No. CIV03-00021

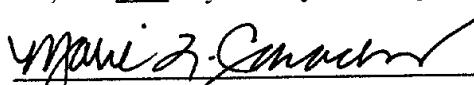
3
4 3. That on JULY 8, ²⁰⁰³ ~~2003~~, I caused to print and publish in the Classified Ads of said
5 newspaper, a true copy of the attached **NOTICE OF ACTION AND ARREST**.

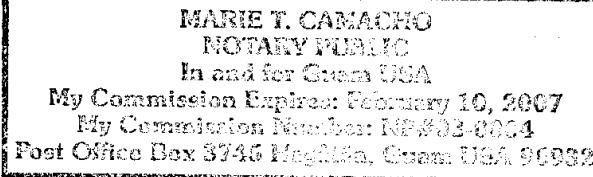
6 FURTHER THE AFFIANT SAYETH NOT.

7
8 Dated this 8th day of July 2003.

9
10 
FAYE S. VASAPOLLI

11 **SUBSCRIBED AND SWORN** to before me, the undersigned Notary Public, duly sworn
12 and commissioned in and for **Guam USA**, this 8th day of July 2003, by **FAYE S. VASAPOLLI**.

13 
NOTARY PUBLIC



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Z8(004.676)\PLD\P#1923

28

**NOTICE OF POSTPONEMENT OF SALE
OF REAL PROPERTY UNDER FORECLOSURE AND
NOTICE OF SALE
(Senior Loan)**

NOTICE is hereby given that GUAM TAC 2003-1, L.L.C., a Guam Corporation, Mortgagee, by written Notice of Sale of Real and Personal Property by Private Power of Sale (Senior Loan), recorded in the Department of Land Management, Government of Guam, on February 21, 2003, under Document No. 669750, provided notice that Mortgage would sell at public auction to the highest bidder for cash or as otherwise deemed acceptable by seller, on May 22, 2003, all the right, title and interest mortgaged to and now held by it under that certain Mortgage filed in the Office of the Recorder, Department of Land Management, Government of Guam Instrument No. 617742, subsequently amended with Instrument No. 640454.

The premises that are described in such mortgage are as follows:

Parcel 1: In Fee Simple.

Lot 5140-1-2, Tamuning (GCA, Chapter 4, Section 403, formerly Dededo), Guam Estate no. 1644, as shown on Map Drawing no. 607767D (LM#33147), recorded under instrument no. 87975, Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be 45.391 .1± sq. ft./4,077.63± sq. m., Certificate of Title no. 99446 to the Republic of Nauru (Guam), Inc., a Guam corporation.

Parcel 2: In Fee Simple.

Lot 5140-2-R2, Tamuning (GCA, Chapter 4, Section 403, formerly Dededo), Guam Estate no. 1644, as shown on Map Drawing no. 607767D (LM#33147), recorded under instrument no. 87975, Department of Land Management, Government of Guam.

Except that northern portion taken for roadway (San Vito Road Severance Map), designated as Lot no. 5140-2-2-G, as shown on that certain map recorded on January 27, 1986 under instrument no. 38473 in the Department of Land Management, Government of Guam. Last Certificate of Title no. 99477 issued to Republic of Nauru (Guam), Inc., a Guam Corporation.

Parcel 3: In Leasehold.

The Leasehold estate created by the Ground Lease, executed by Maria A. Anderson, "Lasson," to Nauru Development Corporation, "Lessee," dated July 1, 1982 and recorded on August 19, 1982 under instrument no. 33139 in the Department of Land Management, Government of Guam as amended by that First Amendment to Ground Lease, dated March 2, 1988, as recorded under instrument no. 578619; and subject to any other amendments or documents concerning the Lease as recorded in the Department of Land Management, The Leases concerns the following property:

Lot 5140-2-2, Tamuning (GCA, Chapter 4, Section 403, formerly Dededo), Guam Estate no. 1643, as shown on Map Drawing no. 607767D (LM#33147), recorded under instrument no. 87975, Department of Land Management, Government of Guam, Less and Except that northern portion taken for roadway (San Vito Road Severance Map), designated as Lot no. 5140-2-2-G, as shown on that certain map recorded on January 27, 1986 under instrument no. 38473 in the Department of Land Management, Government of Guam. Last Certificate of Title no. 97870 issued to Soledad A. Lujan and Dolores A. Guevara, as equal tenants in common.

NOTICE is hereby given that said sale above referred to is postponed and extended to July 22, 2003, 10:30 a.m. at the Tamuning Mayor's Office, Guam.

The foreclosed sale shall include all buildings, structures and improvements on the property, together with all rights, easements and interests of the Mortgagor as secured by the said Mortgage, Loan Agreement, and by any other applicable or related security instruments, and documents. The foreclosed sale shall also include all personal property and interests of the Mortgagor secured by the said Mortgage, Loan Agreement, and by any other applicable or related security instruments and documents, which shall include, without limitations, all furniture, fixtures, appliances, equipment, machinery, articles of personal property, inventory, supplies, computer equipment and software, contract rights, deposits, insurance policies and insurance proceeds, claims, and any other personal property, interests and rights, tangible and intangible. Any buyer shall take all such property "AS-IS, WHERE-IS" without any warranties or representations as to the conditions, or fitness for its intended purpose. The property sustained substantial damage as a result of recent typhoons and interested parties are invited to inspect the property, which inspection may be arranged by contacting the undersigned.

The undersigned is the attorney for the lawful owner of such Mortgage and the Note secured thereby. The Mortgage has defaulted in the performance of the terms and conditions on the Note and Mortgage, in the original sum of \$16,500,000.00, additional advances of \$2,500,000.00, together with costs of sale and attorney fees is due and owing.

The undersigned reserves the right to withdraw this Notice, to reject any bid or to accept the highest bid, and to postpone the sale from time to time.

Dated this 29 day of May, 2003.

By/s/ MICHAEL J. BERMAN

) ss:

City of Hagatna

On this 20th day of May, 2003, before me, the undersigned notary, personally appeared, Michael J. Berman, the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose, as attorney for Guam Tac 2003-1, L.L.C.

By/s/ MARY JO P. FABIO

NOTARY PUBLIC

In and for Guam, U.S.A.

My Commission Expires: May 20, 2006

P.O. Box 521 Hagatna, Guam 96932

**NOTICE OF POSTPONEMENT OF SALE
OF REAL PROPERTY UNDER FORECLOSURE
AND
NOTICE OF SALE
(Junior Loan)**

WHEREAS, 12 GUAM OPPORTUNITY INC., by written Notice of Sale Under Mortgage, dated June 3, 2003, and recorded on June 4, 2003, in the Department of Land Management, Government of Guam, filed in the Office of the Recorder under Instrument No. 676263, duly provided notice that its owner, holder of the mortgage described in said Notice of Sale would sell at public auction to the highest bidder for cash or as otherwise deemed acceptable by seller, on June 27, 2003, or 11:00 a.m. at the Mayor's Office, Tamuning, Guam, all of the land conveyed to it by said mortgage, and of all that certain property situated in Tamuning, Guam, particularly described as follows:

Parcel No. 1: In Fee Simple.

LOT NO. 213041WV-1-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 2: In Fee Simple.

LOT NO. 213041WV-2-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 3: In Fee Simple.

LOT NO. 213041WV-3-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 4: In Fee Simple.

LOT NO. 213041WV-4-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 5: In Fee Simple.

LOT NO. 213041WV-5-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 6: In Fee Simple.

LOT NO. 213041WV-6-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 7: In Fee Simple.

LOT NO. 213041WV-7-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 8: In Fee Simple.

LOT NO. 213041WV-8-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 9: In Fee Simple.

LOT NO. 213041WV-9-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 10: In Fee Simple.

LOT NO. 213041WV-10-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 11: In Fee Simple.

LOT NO. 213041WV-11-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 12: In Fee Simple.

LOT NO. 213041WV-12-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 13: In Fee Simple.

LOT NO. 213041WV-13-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 14: In Fee Simple.

LOT NO. 213041WV-14-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 15: In Fee Simple.

LOT NO. 213041WV-15-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 16: In Fee Simple.

LOT NO. 213041WV-16-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 17: In Fee Simple.

LOT NO. 213041WV-17-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 18: In Fee Simple.

LOT NO. 213041WV-18-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 19: In Fee Simple.

LOT NO. 213041WV-19-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 20: In Fee Simple.

LOT NO. 213041WV-20-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 21: In Fee Simple.

LOT NO. 213041WV-21-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 22: In Fee Simple.

LOT NO. 213041WV-22-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 23: In Fee Simple.

LOT NO. 213041WV-23-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 24: In Fee Simple.

LOT NO. 213041WV-24-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 25: In Fee Simple.

LOT NO. 213041WV-25-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 26: In Fee Simple.

LOT NO. 213041WV-26-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 27: In Fee Simple.

LOT NO. 213041WV-27-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 28: In Fee Simple.

LOT NO. 213041WV-28-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 29: In Fee Simple.

LOT NO. 213041WV-29-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 30: In Fee Simple.

LOT NO. 213041WV-30-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 31: In Fee Simple.

LOT NO. 213041WV-31-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 32: In Fee Simple.

LOT NO. 213041WV-32-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 33: In Fee Simple.

LOT NO. 213041WV-33-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 34: In Fee Simple.

LOT NO. 213041WV-34-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 35: In Fee Simple.

LOT NO. 213041WV-35-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 36: In Fee Simple.

LOT NO. 213041WV-36-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 37: In Fee Simple.

LOT NO. 213041WV-37-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 38: In Fee Simple.

LOT NO. 213041WV-38-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 39: In Fee Simple.

LOT NO. 213041WV-39-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 40: In Fee Simple.

LOT NO. 213041WV-40-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 41: In Fee Simple.

LOT NO. 213041WV-41-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 42: In Fee Simple.

LOT NO. 213041WV-42-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 43: In Fee Simple.

LOT NO. 213041WV-43-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 44: In Fee Simple.

LOT NO. 213041WV-44-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 45: In Fee Simple.

LOT NO. 213041WV-45-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 46: In Fee Simple.

LOT NO. 213041WV-46-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 47: In Fee Simple.

LOT NO. 213041WV-47-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 48: In Fee Simple.

LOT NO. 213041WV-48-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 49: In Fee Simple.

LOT NO. 213041WV-49-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 50: In Fee Simple.

LOT NO. 213041WV-50-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 51: In Fee Simple.

LOT NO. 213041WV-51-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 52: In Fee Simple.

LOT NO. 213041WV-52-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 53: In Fee Simple.

LOT NO. 213041WV-53-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 54: In Fee Simple.

LOT NO. 213041WV-54-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 55: In Fee Simple.

LOT NO. 213041WV-55-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 56: In Fee Simple.

LOT NO. 213041WV-56-1, TAMUNING, GUAM, as sold, partitioned and designated on Map Drawing No. 613127-03, recorded under instrument no. 534402, in the Department of Land Management, Government of Guam.

Parcel No. 57: In Fee Simple.